

## Judges, technology playing key roles in teaching youngsters about courts

By Chief Justice Elizabeth A. Weaver

**A** few weeks ago, the Michigan Freedom Foundation invited me to teach a class on the judiciary to a group of motivated young students in Alpena. It was a welcomed opportunity to cover the basics not only of the third branch of government, but also of democracy in general, and the vital role the judiciary plays in the lives of our citizens.

Michigan trial courts discovering value of public service web sites, **see page 3.**

Court web sites show their wares, **see page 4.**

The occasion served as a reminder of how much we who work in the judiciary can accomplish by sharing our knowledge of the system with youngsters. It goes far beyond the standard civics lesson, which itself is vital to the preservation of the system over the long term. There are many important lessons to teach, and new ways in which technology can help us teach them. The Supreme Court and many other courts around Michigan are already capitalizing on them.

Communicating with young people holds immediate benefits. It provides an ethic and a model for nonviolent dispute resolution. Indeed, programs teaching young people how to resolve their own disputes have mushroomed in our schools, unfortunately, in some cases, out of necessity. These programs provide important skills in self-man-

See *JUDGES*, page 2



The Michigan  
Supreme Court's  
goals for the  
judiciary:

*Fairness*  
*Accessibility*  
*Accountability*  
*Effectiveness*  
*Responsiveness*  
*Independence*

### Inside This Issue

Michigan trial courts discovering value of public service web sites	3
Court web sites show their wares	4
Interactive video can boost security, efficiency for courts, police	5
Practice Note — Guidelines offered for enforcing foreign PPOs	7
Administrative Update	8
Grant Update	12
Changeover	13
Court Calendar	Back Cover

## Judges, technology playing role in teaching youngsters about courts

(Continued from page 1)

agement and self-government, and stress the need to work through differences for the good of all.

Reaching out also sows the seeds of responsible citizenship and democratic participation. It opens a window on our nation's history, which offers role models who grappled courageously with fundamental issues of life and government. The founders of our nation are long since gone, but their ideas and writings are very much alive, and are debated every day.

Working with young people also educates our future political leadership, and helps ensure that our judicial system remains independent and our country secure in its liberties. The task of teaching youngsters about their past, and opening their eyes to the future, is made easier by virtue of the fact that the story of our government's founding is an inspiring one, with a cast of colorful characters.

Today we have numerous tools for engaging young people in the study of the judiciary and government in general. One of the newest is the World Wide Web. The Supreme Court's web site provides access to Supreme Court and Court of Appeals decisions; background about current Supreme Court justices and those stretching back to the Court's beginnings; Supreme Court and trial court caseload data; information about key programs operated by the State Court Administrative Office, such as the Friend of the Court Bureau and Community Dispute Resolution Program; and access to publications about the Michigan trial court system. The Court's web site recently received a StudyWeb award as one of the best educational sites for teachers and students on the Web. (See page 8)

The Court's web site also provides links to the growing number of trial court web sites in Michigan, which serve as important local resources for educators, students and the public at large. Many of these sites include innovative and advanced features. (See page 4) All of them provide information on how their courts operate and all strive to make their court systems easier to navigate. They are important teaching tools because they provide real world information about how the courts work.

Television networks like Michigan Government Television (MGTV) also show the judiciary at work or carry informational programs about its activities. As you know, MGTV regularly televises oral arguments from the Michigan Supreme Court. In the past it has carried special programming on court reorganization issues, and it currently is airing two of the public hearings held by the House Civil and Family Law Committee on HJR F.

Our most important educational resources are the many judges, court staff and attorneys who go into the schools or bring students into the courts to inform young people about the judiciary and its importance in their lives. The work of these individuals is supported not only by the schools themselves, but also by organizations like the American Bar Association, State Bar of Michigan, Lawyers Auxiliary and local bar associations. Such organizations offer curriculum materials and special programs to assist teachers in their work.

Those who do the teaching become role models themselves. They demonstrate what can be done, why it is essential for society, and why it is personally worthwhile to expend the energies that make the judiciary work for the public. The reward comes in preparing others to value the same goals.

In the crush of cases and administrative duties, our role as teachers can often be overlooked. But with a new school year around the corner, I urge all of you to make time for it. It is an essential role that when practiced well can have many positive, long-lasting effects.

### Michigan Supreme Court REPORT

*Michigan Supreme Court Report* is published by the Michigan Supreme Court.

#### **Chief Justice**

Elizabeth A. Weaver

#### **Justices**

James H. Brickley  
Michael F. Cavanagh  
Marilyn Kelly  
Clifford W. Taylor  
Maura D. Corrigan  
Robert P. Young, Jr.

#### **Public Information Officer**

David Gruber  
Michigan Supreme Court  
PO Box 30052  
Lansing, MI 48933  
Phone: 517/373-0129

#### **Publications Coordinator**

Ann Tschirhart

For information regarding changes of address or employment opportunities, contact Brenda Underwood, SCAO, at 517/373-9231.

# Michigan trial courts discovering value of public service web sites

*By Ann Tschirhart, Publications Coordinator  
Michigan Supreme Court*

**M**ichigan courts are finding their way to the World Wide Web, and as a consequence more citizens are finding their way to the courts simply by clicking a mouse.

Ten percent of Michigan's courts have developed a presence on the World Wide Web. Some of these web sites offer basic court information such as phone directories and court maps. Others provide advanced services such as on-line payment of traffic fines.

Court web sites create a win-win situation. The public wins by gaining easy access to the court system; the courts win by improving their working relationship with the public.

There is consensus among those courts with web sites regarding the benefits of being on-line. Perhaps the most important benefit is being able to provide the public with easy access to information. "It's a service to the community," said Jill Hillaker, court administrator for 24th District Court, "and let's face it, that's our job."

Creating an on-line presence for the courts can increase public awareness of the judicial branch of government. According to Chief Judge Phil Harter, Calhoun County Probate Court, "The court is responsible for educating the public about its procedures." A web site is a convenient way to do it.

A web site can serve as a resource for other courts by highlighting innovations in administration. It can also free up staff time by decreasing informational phone calls from the public.

There is a downside, however. A web site requires maintenance, and that

requires staff time, perhaps the time a court might have thought it would gain by having a site. According to Kent Batty, court administrator for Washtenaw County Trial Courts, "You have to commit yourself to keeping it up-to-date."

Many courts begin their web site ventures with a static page and a desire to develop the site over time. Without someone available to work exclusively on that project, the site remains static. "There is nothing that gets dropped faster than an obsolete site," said 61st District Court Administrator Josef Soper.

When asked what advice she would give about web sites, Judy Cunningham, Oakland County court administrator, expressed a common theme. "You've got to be doing it now," she said. "There is a whole generation of people that get their information on line. We have to speak to that generation, too."

Courts contemplating a move to the Web needn't wait to round up all the information they would like to post on their sites before going on line. Web sites are by nature works in progress. As one source said, "It's like a painting. You never feel like you're quite done with it."

Courts interested in learning more about developing a web site may contact any of the courts listed in the companion story on page 4. Other resources for courts may include local county governments that provide web hosting services or local internet service providers (ISP).

---

Court web sites  
show their wares

— see page 4

---

---

# Court web sites show their wares

There are several Michigan court web sites that provide many on-line features. These courts include:

- **Michigan Supreme Court:** Located at [www.supremecourt.state.mi.us](http://www.supremecourt.state.mi.us), this site is designed to heighten awareness of Michigan's One Court of Justice. The site includes current decisions issued by the Supreme Court and Court of Appeals and information about the appellate courts, trial courts, court administration, judicial education, public education, friend of the court, mediation programs, foster care review board and public access programs. Court directories and important Court documents are also available on the site.
- **24th District Court:** This site, located at [www.24thdiscourt.org](http://www.24thdiscourt.org), serves the cities of Allen Park and Melvindale. It offers a broad range of materials about the court in general (ask the judge, community service, email addresses and jury duty) and the law (know your rights, drunk driving, felonies, small claims and traffic offenses). The site also offers information on substance abuse self-tests and is developing a number of interactive features (downloadable documents, attorney access for those with cases before the court, and on-line payment of traffic tickets).
- **46th Circuit Court (Crawford, Kalkaska and Otsego counties):** A product of one of the Michigan Supreme Court's demonstration projects, this site provides an advanced level of services. Located at [www.circuit46.org](http://www.circuit46.org), the site offers on-line payment of traffic and misdemeanor fines, access to court forms, daily court dockets, caseload statistics, cases searchable by name, probation check-in and more.
- **61st District Court:** This site carries background information on judges, court administrators, department managers and magistrates, as well as detailed information on the types of cases handled by the district court. The site, which serves the city of Grand Rapids, may be found at [www.iserv.net/%7Edpasseng/grdc/grdcind.htm](http://www.iserv.net/%7Edpasseng/grdc/grdcind.htm).
- **Calhoun County Trial Court:** This site offers information on the family division, Calhoun County judges, the judicial council, local administrative orders, jury procedures and more. There is a "citizen questions" page devoted to answering select questions posed by the public. The site is located at <http://courts.co.calhoun.mi.us/>.
- **Kent County Courts:** The Kent County courts site is located at [www.co.kent.mi.us/courts.htm](http://www.co.kent.mi.us/courts.htm) and provides a succinct description of the court system, including circuit, district and probate courts, the family division of circuit court and friend of the court. Judicial biographies are also available. Other topic areas include court services, personal protection issues and frequently asked questions.
- **Macomb County Circuit Court:** This site provides general information about the court, statistics, articles of interest, arraignment schedules, friend of the court information and an archive of jury verdicts dating back to 1994. A page devoted to downloadable court forms is under construction. The site is located at [www.libcoop.net/maccir](http://www.libcoop.net/maccir).
- **Oakland County Courts:** Located at [www.co.oakland.mi.us/c\\_serv/oakcourts/index.html](http://www.co.oakland.mi.us/c_serv/oakcourts/index.html), this site includes basic information on the probate and district courts, as well as detailed information on circuit court. Web users can access general information on circuit court, judicial biographies, forms and local court rules, jury duty information, the friend of the court office and more. Plans for this site include an interactive area to assist attorneys and other court users.
- **Washtenaw County Trial Court:** This site is loaded with information on the county trial courts, its judges and dockets. It offers media guides, benchbooks, fee schedules, jury duty information and self-help on law-related issues. The site provides court users with extensive information on the many divisions of the court and a searchable opinion bank. The site may be found at: [www.co.washtenaw.mi.us/depts/courts/index.htm](http://www.co.washtenaw.mi.us/depts/courts/index.htm).

There are also several county courts with web sites that provide general contact information. These sites include: Alger; Baraga; Chippewa; Delta; Dickinson; Gogebic; Houghton; Iron; Keweenaw; Luce; Mackinac; Marquette; Menominee; Ontonagon; and Schoolcraft.

---

If your court's web site has been overlooked, please send the web address to [tschirharta@jud.state.mi.us](mailto:tschirharta@jud.state.mi.us).

# Interactive video can boost security, efficiency for courts, police agencies

By George M. Strander, Management Analyst  
State Court Administrative Office

**N**ine years ago Michigan took its first steps towards the use of interactive video technology (IVT) in court proceedings with the Supreme Court's authorization of IVT systems on a trial basis in two counties. Since that time, court-based IVT (also known as closed circuit television, or "CCTV") has graduated from trial project status. IVT systems are now in place in over 30 courts across the state, allowing district and circuit courts to process remote arraignments and other select proceedings through the use of cameras and monitors. The rapid rise in IVT use is indicative of the benefits the technology brings to the administration of justice.

The latest authorized expansion of IVT use in courts took place last April in Calhoun County, where an already existing district court IVT system was expanded to include a link with the City of Albion. The new link allows audiovisual communication between the Albion Public Safety Department, the 10th District Court, and the Calhoun County Prosecutor's Office. Both Chief District Judge John Holmes and Albion Public Safety Chief L. J. McKeown, Jr. have high hopes for the new system saving expense and time. Chief McKeown specifically said the system will reduce mileage put on police cars which otherwise would transport prisoners from Albion to Battle Creek and back (25 miles one-way). According to Albion Public Safety Lieutenant Bruce Matson, on average one arraignment a day is conducted using the IVT link with the district court.

The use of a court-based IVT system is nothing new for the district court, which has had a link with the county jail for several years. "It's been great," said Judge Holmes, explaining that the established system has produced several benefits with few drawbacks. Court-based IVT systems like the one operating in Calhoun County

are approved and monitored by the State Court Administrative Office.

A court-based IVT system is used to provide audiovisual communication between a courtroom and a party or other interested person not located in the courtroom. At each site in an IVT system there will be, at a minimum, one camera and one monitor. The cameras and monitors at the various sites in an IVT system are linked together by closed circuit. Court-based IVT systems across the United States have been used primarily in criminal proceedings where the defendant is incarcerated.

The type of criminal proceeding to which IVT is most directly applied is arraignments. Other applicable proceedings have nationwide included criminal pretrial conferences, acceptances of guilty pleas, criminal sentencing, show cause hearings, bond hearings, and probation and parole revocation hearings. The system has also been used in the issuance of warrants.

Courts and law enforcement agencies have found there to be three distinct advantages in using IVT. First, use of IVT provides for greater security. Under a traditional scheme, when police arrest a suspect and do not release the suspect after arrest, the suspect must be transported from the jail to the courtroom for arraignment, thereby increasing the possibility of prisoner escape. If a court and a jail are linked by an IVT system, the suspect need never be removed from a secure environment. As Chief Judge Holmes points out, not only are there no transport problems when IVT is used, but also a lot of tension is defused through the prisoner not being physically present in a crowded public courtroom.

Second, use of an IVT system allows for police and courts to be more efficient. The greatest efficiency benefit accrues to law enforcement managers, who, under a

---

Courts and law enforcement agencies have found there to be three distinct advantages in using IVT: greater security, greater efficiency and cost savings.

---

*See INTERACTIVE, next page*



---

## Interactive video can boost security, efficiency for courts, police

*(Continued from page 3)*

court-based IVT system, can employ the officers otherwise used for prisoner transport to perform needed patrols and emergency response. According to Chief McKeown, each instance an officer must drive to Battle Creek to transport a prisoner for arraignment or to obtain a warrant translates into a loss of two or more hours of the officer's time. Indeed, Lieutenant Matson estimates that the IVT link saves Albion Public Safety 16 officer-hours a week.

Courts can be more efficient through IVT by conducting arraignments without unnecessary delays. According to 10th District Court Administrator Michelle Hill, use of an IVT system in arraignments tends to focus the parties involved on the proceeding at hand, thereby saving time. Arraignments "move much quicker" and are "truly informative," she explains, allowing the court to be more efficient in its work.

Third, use of a court-based IVT system can result in substantial cost savings, mainly for law enforcement due to the reduction in prisoner transports.

As with most innovations, there are potential drawbacks to court-based IVT systems. An early complaint against IVT was that proceedings would become too depersonalized for the defendant. However, as Fredric Lederer, Chancellor of William & Mary's Marshall-Wythe Law School, points out in a recent article, the depersonalization complaint was largely a product of the drawbacks in technology at the time (early 1980s). Lederer says that technology advances have made defendants feel much more connected to what is going on in the courtroom, and that depersonalization is not a serious problem. Chief Judge Holmes echoes this sentiment, questioning whether a prisoner packed into a courtroom with several other people is more connected to the process than one communicating directly with the judge via closed circuit television. "They have a personal relationship with the judge," Chief Judge Holmes says of prisoners arraigned via IVT.

Another concern arising out of use of IVT in courts centers around the role of appointed defense counsel. In some cases it may be more practical for appointed counsel to attend a proceeding in the courtroom along with the judge and the prosecutor. As Lederer explains, in such situations "(t)here is a risk ... that even if effective and secret privileged communications can be provided, the artificiality and practical difficulty incumbent in their use may chill communications," thereby decreasing the effectiveness of representation. It is fully possible, however, that the "artificiality" Lederer refers to may well be waning with improvements being made to IVT systems.

Nationally, court-based IVT systems were first used in Dade County, Florida, in the early 1980s. They first came to Michigan courts in 1990, when the Michigan Supreme Court issued Administrative Order 1990-1, authorizing the circuit and district courts in Genesee and Oakland counties to use IVT for arraignments, criminal pretrials, criminal pleas, criminal misdemeanor sentencings, and show cause hearings. One year later, in Administrative Order 1991-2, authorization for IVT use on an experimental basis was expanded to any circuit or district court upon approval of a local administrative order by the SCAO. In Administrative Order 1993-1, the Supreme Court decreed that the availability of court-based IVT would continue until further order of the Court, thereby releasing IVT from experimental status.

Currently, there are 33 Michigan trial courts using IVT — six circuit courts and 27 district courts. At present, court-based IVT systems in Michigan can only be used for certain courtroom proceedings involving an incarcerated defendant. In the future, it is possible that IVT will be authorized for other parties and other proceedings. For instance, in his article Lederer contemplates the possibility of attorneys participating in certain proceedings via an IVT system. Additionally, it is conceivable that IVT systems could be authorized for use in certain juvenile delinquency or involuntary commitment proceedings.

---

George M. Strander is a management analyst with the SCAO. Those wanting additional information on court-based IVT systems should contact George or James Covault at 517/373-7496.

### Guidelines offered for enforcing foreign PPOs

Federal law requires courts, law enforcement officers, and prosecutors to enforce protective orders issued by other states and Indian tribes. “Foreign protective orders” should be enforced as though they were issued in the enforcing state. This means that a victim of domestic violence who has a valid protection order can expect that the order will be enforced regardless of where violations may occur. Enforcement actions should be in compliance with the laws and policies of the enforcing jurisdiction.

The issuing jurisdiction determines the following:

- whether an order of protection should be issued
- who is to be protected
- terms and conditions of the order
- duration of the order

The enforcing jurisdiction determines the following:

- how the order is enforced
- arrest authority of responding law enforcement personnel
- detention and notification procedures
- crimes charged for violation of an order
- issuing an appropriate sentence for a person found guilty of violating a protective order

Any protection order should be presumed valid if all of the following are found:

- the order provides the names of the parties
- the order contains the date the order was issued, and it is prior to the date when enforcement is sought
- if the order has an expiration date, and the date of expiration has not occurred
- the order specifies terms and conditions (proscribed behavior) of restricted contact or behavior
- the order contains the name of the issuing court
- the order is signed by or on behalf of a judicial officer
- the order does not need to be an original or have a raised seal
- the victim is not required to register the protective order in the enforcing jurisdiction

If the victim does not have a copy of the protective order, the responding jurisdiction should attempt to verify its existence by communicating with the issuing jurisdiction. The responding state should also attempt to verify service of the order. If the respondent claims to have no prior knowledge of the protective order, then oral notice should be given, and the respondent should be instructed where he/she can obtain a copy of the order (as required by Michigan law).

The National Center for State Courts is developing a benchcard on Full Faith and Credit issues associated with protective orders. Copies of the benchcard will be provided to Michigan judges once the materials have been finalized. Information for this article was adapted from the *Domestic Violence Advisor*, a publication of the Michigan Commission on Law Enforcement Standards. Questions regarding this issue should be directed to Pam Creighton, SCAO Access to Justice Coordinator. PH: 517/373-4843.

---

Foreign protective orders should be enforced as though they were issued in the enforcing state.

---

## ADMINISTRATIVE MAILINGS

The items listed here have been sent under separate cover as a companion piece to the *Michigan Supreme Court Report*.

**NOTE:** Supreme Court Orders, Ethics Opinions and Attorney General Opinions previously e-mailed are no longer being sent in hard copy.

**Letter from Sharon K. Deja**, dated May 13, regarding Tax Refund Offset - Injured Spouses (e-mailed to courts 5/17/99).

**Letter from James L. Covault**, dated July 6, regarding Implementation of Repeat Offender Reporting to Department of State.

**Letter from John D. Ferry, Jr.**, dated June 15, regarding SCAO Administrative Memorandum 1999-04a; Personal Protection Actions Against Minors and Designated Juvenile Cases, Caseload Reporting.

**Interest Rates for Money Judgments**, effective July 1, 1999.

**LEIN News Bulletin** May/June 1999 - page one only.

**Bench Guide**, Criminal Records Reporting, MCL/PACC Charge Codes, eighth edition.

## Administrative Update

### Child support formula surveys to be in the mail soon

Judges and friend of the court personnel will soon receive from the SCAO surveys that are designed to gather information about how the Michigan Child Support Formula is applied and how closely it is followed.

The surveys are intended to meet federal data collection requirements to help ensure that the application of the formula results in appropriate awards of child support. Failure to comply with federal requirements may result in financial sanctions to Michigan's Child Support Program.

The SCAO has developed two separate surveys, one for judges and another for referees and friend of the court staff. The survey periods scheduled for 1999 are October 4-8 for the judges' survey, and November 1-5 for the referee and friend of the court staff's survey.

Surveys must be completed by each judge, referee, or friend of the court employee on *every case* they handle regarding child support amount establishment or modification during their respective survey period. This includes orders, hearings or trials, recommendations, and stipulations which establish or modify child support whether they follow or deviate from the formula.

In early September, the survey for judges will be sent to chief circuit judges for distribution. Referee and friend of the court surveys will be sent in early October to friend of the court offices for distribution. If you have any questions regarding the deviation survey, please contact William J. Bartels at 517/373-5975, or [bartelsb@jud.state.mi.us](mailto:bartelsb@jud.state.mi.us).

### Supreme Court web site receives new look, award

The Michigan Supreme Court web site has been redesigned to broaden public understanding of the judiciary. The revised site, titled *Michigan's One Court of Justice*, provides easy access to judicial branch information in a user-friendly manner.

The overall site structure has also been revamped and includes information divided into several topic areas of interest. For example, **Decisions** provides access to current opinions issued by the Supreme Court and Court of Appeals.

**Public Programs** provides information about the friend of the court, foster care review boards, community dispute resolution, access to justice and the court improvement program.

Additional topics featured on the web site include the appellate courts, trial courts, court administration, judicial education and public education. The site also provides web users with quick access to directories of court staff and judges. Access to important Supreme Court documents, reports and the Court newsletter can be found in the court publications topic area.

The site, which is geared toward court users, educators, students, legislators, government agencies and the media, was recently recognized by StudyWeb as one of the top educational web sites in its field. To visit the web site, direct your web browser to: [www.supremecourt.state.mi.us](http://www.supremecourt.state.mi.us).



### Grant awarded to special education mediation program

The Michigan Department of Education has awarded the Community Dispute Resolution Program (CDRP) \$108,000 to continue developing and administering the Michigan Special Education Mediation Program. This service provides mediators to parents and schools engaged in disputes over the qualification for, and level of, special education services. The mediators are volunteers who have completed a 40-hour SCAO-approved general mediation course, a 10-hour supervised internship, and a 2-day advanced special education mediation training program as well as periodic update training. Mediators assist the parties in developing their own options which resolve the matters in dispute; they do not perform case evaluation or determine the merits of the parties' claims.

Although the service is relatively new, 24 special education matters were resolved through local community mediation centers in the program year ended June 30. Parents and schools reaching agreements through mediation avoid administrative hearings before a hearing officer appointed by the Department of Education and subsequent litigation if either party elects to appeal the administrative ruling. Since the Department calculates that the average dispute costs the department an average of \$30,000 if it goes to hearing, the savings realized through resolution of matters via mediation is substantial.

The CDRP also houses the Michigan Agricultural Mediation Program (funded by USDA to provide mediation in disputes between producers and USDA agencies) and the Permanency Planning Mediation Program (funded through the Court Improvement Program to test the use of mediation to more quickly reach permanency determinations in child protection proceedings than afforded through the traditional adversarial process).

Informational materials on the various specialized services of CDRP, including videos, posters, brochures, and newsletters, can be obtained from the SCAO. For additional information, contact: Doug Van Epps (vaneppsd@jud.state.mi.us) or Tara Verdonk (verdonkt@jud.state.mi.us). PH: 517/373-4839.

### SCAO offers "Day in Court" informational programs

Two half-day informational programs about the needs of deaf and hard of hearing litigants, witnesses, jurors and spectators will be sponsored by the SCAO in conjunction with the Michigan Coalition for Deaf and Hard of Hearing People. This unique program is designed to help both citizens and court staff to learn how to more successfully interact and communicate with one another.

The two sessions are being scheduled for the fall of 1999 in the 86th District Court in Traverse City and at the 6th Circuit Court in Oakland County. They will follow the first "Day In Court" program, which was hosted by Judge Charles Filice and the 54-A District Court in June.

The audience for the first program consisted of deaf and hard of hearing high school and college students as well as court administrators and ADA coordinators from local courts. Participants witnessed actual arraignments and sentencings, and also received a presentation by Judge Filice, during which he took questions from the audience. In addition, court staff were provided with a presentation from a panel of experts on the rights and needs of persons who are deaf or hard of hearing. The experts provided critical information to the court staff on the use of assistive listening devices and interpreters for the deaf.

Persons interested in receiving more information about the upcoming programs can contact Pam Creighton, SCAO Access to Justice Coordinator at 517/373-4843.

## PAST MAILINGS

The mailings listed here have been sent separately since the last issue of the *Michigan Supreme Court Report*.

From Sharon K. Deja — Non-Custodial Parent Work First Program qtrly report (5/6/99) and program (6/26/99), to chief circuit and presiding family division judges, FOCs, family and circuit court administrators.

From Amy L. Byrd — Final draft of caseload reports and instructions, mailed to caseload work groups.

From John D. Ferry, Jr. — Use of e-mail to distribute information.

From John D. Ferry, Jr. — JISAC Network Site Survey, to all chief judges, county clerks and court administrators, mailed 6/25/99.

From John D. Ferry, Jr. — JTC nomination and election, to probate judges, mailed 7/99.

**The Pundit**, mailed 7/1/99.

From John D. Ferry, Jr. — Annual Conference MTC Case File Management Standards DRAFT and ADM 99-17, to county clerks, mailed 7/19/99.

From Amy L. Byrd — SCAO forms, to circuit and district court forms contacts, mailed 7/23/99.

---

Transmitted via e-mail

---

Supreme Court Orders — 98-21; 98-35; 99-29, Amendment to MCR 8.117; 99-39, Amendment to MCR 6.610; 99-42 and 99-32, proposed amendment of Canon 7 and adoption of new Canon 8 of the MI Code of Judicial Conduct; 98-18, proposed amendment of rule 803A of the Rules of Evidence, MCR 5.972.

SCAO Administrative Memo — 1999-04a, personal protection actions against minors and designated juvenile cases; 1999-05, abstracting convictions to SOS.

Enrolled HB 4059 (PA 13)

AG Opinion #7024

SCAO Coordination, MJTC Grants Press Release from Justice James H. Brickley; Statement from Chief Justice Weaver.

Child Restraint Data

MSP training, Sex Offender Registration

Draft Standards, Michigan Trial Court Collections Standards

---

Transmitted via fax

---

AG Opinion #7018

Training Session, offered on Repeat Offender Legislation

FOC Annual Statutory Reviews

Family Division Assessment

MJTC Grant Workshop, FY2000

Juvenile Accountability Incentive, Block Grant Funding, Gaylord Youth Summit

1998 Case Filings

---

## Administrative Update

### Handicapped parking statute amended by Legislature

The Legislature has amended the handicapped parking statute by adding to its list of violations the *use* of a copied or forged certificate of identification, windshield placard, or free parking sticker, with a fine of not more than \$500 or imprisonment for not more than 30 days, or both.

In addition, *selling* a copied or forged certificate, placard or sticker as a method to commit or attempt to commit a deception or fraud requires a minimum fine of \$250 and not more than \$500 or imprisonment for not more than 30 days, or both.

The amendments are contained in 1999 Public Act 34, which takes effect October 1.

### MJI publishes child protective proceedings benchbook

The *Child Protective Proceedings Benchbook: A Guide to Abuse & Neglect Cases* has been published by the Michigan Judicial Institute (MJi) and will soon be distributed to Family Division judges, referees, and other court personnel. The benchbook was written by Tobin L. Miller, MJi research attorney, with assistance from an advisory committee of judges, referees, and others involved in Michigan's child protection system. Funding for the project was provided by the Court Improvement Program, SCAO.

The benchbook includes all of the recent statutory changes in response to the Binsfeld Children's Commission's recommendations. The 416-page book includes chapters on investigation and reporting of suspected abuse or neglect, preliminary hearings and placement, evidentiary issues, and required review hearings. The 50-page chapter on termination of parental rights includes the history of §19b of the Juvenile Code and all pertinent case law. The benchbook also contains nine hearing checklists and eight "Benchnotes" — short essays focusing on complex topics, such as ordering medical treatment over the religious objection of a parent, federal law in the area, legal representation of abused or neglected children, and the use of guardianships as a placement option.

The *Child Protective Proceedings Benchbook: A Guide to Abuse & Neglect Cases* is part of a four-volume set of benchbooks intended to assist Family Division employees. The other volumes are the *Domestic Violence Benchbook*, *Juvenile Justice Benchbook*, and the *Michigan Family Law Benchbook*, which was published jointly by the SCAO and the Institute for Continuing Legal Education.

### MSP offer training on new sex offender registration

The Michigan State Police (MSP) has announced several training opportunities that will focus on upcoming changes that affect the registration of convicted sex offenders. The changes, which will take effect September 1, will have an impact on all aspects of the criminal justice system. This includes the probation and parole officers who are charged with the responsibility of completing the registration process. Official notification and registration procedures will be forthcoming from the MSP.

The free training sessions will be held as follows: August 18 — 9am-12pm, Oakland County Building Auditorium, 1200 N. Telegraph Rd., Pontiac; August 20 — 1pm-4pm, Hermans Center, Bay College, Escanaba; and August 25 — 1pm - 4pm, Gaylord Holiday Inn, Gaylord.

#### Address Corrections

All court staff should forward address and phone number corrections to:

Brenda Underwood  
SCAO  
PO Box 30048  
Lansing, MI 48909

[underwoodb@jud.state.mi.us](mailto:underwoodb@jud.state.mi.us)

### MJI developing court staff guide to PPOs

Personal protection orders (PPOs) are the subject of a new court personnel training program being developed by the Michigan Judicial Institute. Titled *Court Staff Guide to PPOs*, the program uses interactive compact disc (CD-i) to review the pertinent law and address some of the customer service questions that commonly arise in personal protection actions.

Because the parties to personal protection actions are typically not represented by counsel, court support personnel are often the primary source of information about court procedures. Court staff who handle PPO actions need training to properly assist unrepresented parties without giving legal advice. The MJI training program, designed to increase staff competency and confidence as they handle these cases, is divided into six parts: Initiating the PPO; PPO Petition; After a PPO is Issued; Modified, Rescinded or Extended PPOs; Enforcing PPOs; and Course Summary.

Each part contains several segments, including “Play the Scene” where actors portray the petitioner and the respondent in a PPO action; “Challenge Questions,” where viewers can answer questions and receive feedback; “At the Courthouse,” which provides practical insights from the court’s perspective; “Another Viewpoint” which gives insights from the perspective of other experts in the community, such as those from domestic abuse service programs; and “Learn the Fundamentals” which provides information about the duties of court staff in personal protection actions.

The MJI is also producing a companion workbook for the CD-i course. The workbook contains additional details about court staff duties and serves as a quick-reference guide as viewers process PPO actions in their courts.

All Michigan trial courts with jurisdiction to issue PPOs are eligible to participate in this training program. To offer this PPO training, each court must complete an MJI agreement form; MJI will then supply a complete equipment package to courts that do not currently have such equipment. (Court staff in courts without jurisdiction to issue PPOs may view the CD-i by contacting a regional training center in their area.)

Participating courts will be asked to designate a local facilitator to lead two training sessions of at least two hours each and follow 30 days later with reinforcement training of at least 30 minutes. Courts will also be asked to evaluate the program. The designated court facilitator will attend an orientation session provided by MJI. For information, contact Lori Sheets. PH: 517/334-8612.

### MSP changes involuntary hospitalization entries in LEIN

The Michigan State Police (MSP) on May 28 changed LEIN entries of court orders for Involuntary Hospitalization/Treatment and Findings of Legal Incapacitation to non-expiring orders. All orders currently on the system will remain in LEIN until a subsequent court order is received for the cancellation of the entry. This change has been made in order to comply with state statute (MCL 330.1464a).

It is not expected that courts will calendar these orders for future review. If a court is contacted by an affected individual after having been denied the ability to purchase a firearm, the court may order cancellation of the LEIN entry. The appropriate form to notify law enforcement of the cancellation is MC-239, Removal of Entry from LEIN.

The full text of the procedure for law enforcement as published by LEIN Field Services in its May/June bulletin was distributed by the SCAO in the Administrative Mailings packet.

#### Grant-Related Web Sites

The following web sites offer grant and technical assistance information:

**Office of Juvenile Justice & Delinquency Prevention:**

<http://ojjdp.ncjrs.org/>

**National Criminal Justice Reference Service:**

[www.ncjrs.org](http://www.ncjrs.org)

**Drug Courts Program:**

[www.ojp.usdoj.gov/dcpo](http://www.ojp.usdoj.gov/dcpo)

**Nat'l Association of Drug Court Professionals:**

[www.drugcourt.org](http://www.drugcourt.org)

**Nat'l Center for State Courts:**

[www.ncsc.dni.us/wash\\_dc/gov\\_rel.htm](http://www.ncsc.dni.us/wash_dc/gov_rel.htm)

**Center on Crime, Communities & Culture:**

[www.soros.org/crime/](http://www.soros.org/crime/)

**State Justice Institute:**

[www.clark.net/pub/sji/](http://www.clark.net/pub/sji/)

## Administrative Update

### Repeat offender legislation looming, training available

On October 1, new legislation will take effect regarding drivers who repeatedly drive under the influence or drive with a suspended license. This legislation impacts family division juvenile proceedings, as well as circuit and district court. There are a variety of new offenses, as well as new reporting requirements by the courts to the Secretary of State and the Michigan State Police Central Records Division.

Training is still available for courts and county clerks who have not yet sent staff to training sessions. In addition, the Michigan Judicial Institute has produced a CD-i addressing these changes, which will be available later this month.

- **Kalamazoo — August 26 or 27**  
Contact Susan at 616/384-8024
- **Midland — September 8 or 9**  
Contact Sherri at 517/772-5934
- **Gaylord — September 10**  
Contact Joyce at 517/732-8105  
or Renee at 517/732-6486
- **Southfield — September 14 or 15**  
Contact Tammy at 810/445-4324
- **Flint — September 20**  
Contact Debbie at 810/766-8970
- **Western Upper Peninsula — September 22 (TBA)**
- **Traverse City — September 30**  
(This session is part of the Michigan Association of District Court Magistrates' annual conference.)
- **Lansing — October 6 or 7**  
Contact Katha at 517-373-7498

## Grant Update

### Grant writing consultation available from the SCAO

The SCAO provides assistance to courts in identifying potential funding sources for specific issues or consultation on grant-writing and grant proposals. Questions about grants, or to request grant-related assistance, should be directed to Margie Good. PH: 517/373-5596.

**Center for Substance Abuse Treatment (CSAT):** Concept papers are invited related to issues of managed care and financing, early childhood problems, emerging issues, co-occurring disorders, criminal justice, changing treatment systems, and practices and standards and guidelines. Concept paper deadline is November 30. For information contact the National Clearinghouse for Alcohol & Drug Information. PH: 800/729-6686. Or contact Roberta Messalle. PH: 301/443-4080.

**Kmart Family Foundation:** Ongoing funding is available for drug abuse prevention programs. Application deadlines are September 30 and December 31. For information contact Kmart Corporate Affairs, 3100 W. Big Beaver Road, Troy, MI 48084.

**Substance Abuse and Mental Health Services Administration (SAMHSA):** Ongoing funding is available for conferences focused on substance abuse in relation to rural areas, people with disabilities, the workplace, violence, HIV-AIDS, high-risk youth, cultural diversity and the elderly. For information contact Terri Stover. PH: 301/443-0378.

**William and Flora Hewlett Foundation:** Ongoing funding is available for family and community development projects supporting transition-to-work efforts, employment development, neighborhood involvement, responsible fatherhood, or community services. For information contact David Garner, William and Flora Hewlett Foundation, 525 Middlefield Rd., Ste. 200, Menlo Park, CA 94025. PH: 650/329-1070.

**State Justice Institute (SJI) Scholarships:** Scholarships are available from the SJI for judges and specified court personnel. Scholarships will be approved only for programs that: address topics included in the SJI "special interest" categories; enhance the skills of judges and court managers; or are part of a graduate program for judges or court managers.

Applications for scholarships and any required documents for programs beginning between October 1 and December 31 must be submitted between July 1 and September 1. All applicants must meet eligibility requirements and obtain written concurrence from the Chief Justice of the Supreme Court designee (State Court Administrator) on the required scholarship concurrence form. The application needs to have the original signature of the applicant and a resume must be attached to the application.

The SCAO requests that applicants also receive a letter of support from the chief judge of their court and approval from the court's SCAO regional administrator. The deadlines for the SJI scholarships are very rigid. Applications and required documents must be submitted to the SCAO with adequate time for processing the concurrence form in order to be submitted to SJI prior to the required deadlines. For information on SJI scholarships contact Margie Good, SCAO. Ph 517/373-5596.

---

## Changeover

---

### Retirements

---

**Roberson, Dalton A.**, 3rd Judicial Circuit Court, is retiring October 1. Judge Roberson has served Wayne County since 6/17/74 when he was appointed to the Recorder's Court.

---

### Deaths:

---

**Beasley, William R.**, Retired Court of Appeals judge passed away 6/1/99. Judge Beasley served the Court of Appeals from 4/5/76-10/1/89 and the 6th Judicial Circuit from 1/1/67-4/5/76.

**Boucher, George V.**, retired 17th Circuit Court judge, passed away 5/26/99. Judge Boucher served the 17th Circuit from 1969 until 1988.


**Hand, Michael J.**, retired 47th District Court judge, passed away 6/7/99. Judge Hand served the 47th District Court from 1/1/69-5/1/89. He also served the Farmington Municipal Court from 1/1/64-12/31/68.

**Nowicki, Adam M.**, retired 41B District Court judge, passed away 3/8/99. Judge Nowicki served the 41B District Court from 1/71-12/76.

**Riley, John P.**, retired 78th District Court judge, passed away 3/8/99. Judge Riley served the District Court from 1/69-2/78, Jackson Municipal Court from 1/59-12/67, and Lake Probate Court from 1/68-12/68.

**Spillard, Robert R.**, St. Clair County Probate Court judge, passed away 6/8/99. Judge Spillard served the probate court since 1/1/79.

---



*We will miss your energy, your  
commitment, and your wisdom.*

*We will miss your ready smile,  
your helping hand, and mostly,  
your friendship.*

Karen Lacoff served the Court as a senior programmer analyst and project leader for SCAO-JIS from 1985-99. Her most recent projects included work with caseload, Binsfeld, juvenile reform, EPIC and ongoing design/support of probate and juvenile software.

Contributions in Karen's memory may be made to the Promise Village, Attn: Brandy Bussell, 2690 Crooks, Suite 300, Troy, MI 48084. PH: 248/269-2445.

Karen R. Lacoff  
1951-1999



# August

16-18 1999 Annual Judicial Conference  
for Circuit, Court of Appeals  
and Probate Court Judges  
Amway Grand Plaza, Grand Rapids

17 Michigan Judges Association  
Amway Grand Plaza, Grand Rapids  
31 MJJ — Top Quality Customer Service  
Bayshore Resort, Traverse City

# September

1 MJJ — Top Quality Customer Service  
Bayshore Resort, Traverse City  
8 Region I & II Juvenile Registers  
Meeting  
SCAO, Lansing  
9 UP Probate & Juvenile Registers  
Meeting  
Ramada Inn, Marquette  
9 Southwest Probate Judges Meeting  
Juvenile Court, Kalamazoo  
10 SOS/SCAO Repeat Offender Training  
for Court Support Staff  
Alpine Center Complex, Gaylord  
(REG II & III: TBA)  
14 Michigan Family Support Council  
Ingham County Building, Lansing  
14 SOS/SCAO Repeat Offender Training  
for Court Support Staff  
Civic Center, Southfield  
(REG II & III: TBA)  
14-15 MJJ — Top Quality Customer Service  
Clarion, Kalamazoo

15 SOS/SCAO Repeat Offender Training  
for Court Support Staff  
Civic Center, Southfield  
(REG II & III: TBA)  
16 Michigan Judges Association  
and State Bar Meeting  
Grand Rapids  
21-23 MJJ — New FOC Employees  
Sheraton Hotel, Lansing  
23 UP District Judges, Administrators  
and Clerks Meeting  
AmericInn, Watersmeet  
23 Probate Rules Committee Meeting  
University Club, East Lansing  
24 Region III & IV Probate Registers  
Holiday Inn, Grayling  
28 MJJ — Top Quality Customer Service  
Courtyard Marriott, St. Joseph  
29-10/1MI Association of District Court  
Magistrates Annual Conference  
Park Place Hotel, Traverse City

Michigan  
Supreme  
Court

# REPORT

Michigan Supreme Court  
PO Box 30052  
Lansing, MI 48933  
Phone: 517/373-0129

BULK RATE  
US POSTAGE PAID  
LANSING, MI  
PERMIT NO. 1200